

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1-24. (canceled).

25. (currently amended): A recordable information recording medium, comprising:

a record information recording area in which distributed and encrypted record information encrypted based on Content Scramble System (CSS) is to be recorded; and

an encryption key recording area in which an encryption key encrypted based on the CSS (Content Scramble System) is has already been recorded in advance; and before the record information is recorded in the record information recording area.

~~a record information recording area in which distributed and encrypted record information encrypted based on the CSS is to be recorded.~~

26. (currently amended): A recordable information recording medium, comprising:

a record information recording area in which record information encrypted by Content Scramble System (CSS) is to be recorded later by a user, the encrypted information being distributed from an outer distributing apparatus; and

an encryption key recording area in which an encryption key encrypted based on the CSS (~~Content Scramble System~~) ~~is~~ has already been recorded ~~in advance; and~~ before the record information is recorded in the record information recording area.

~~a record information recording area in which record information encrypted by the CSS is to be recorded later by user, the encrypted information being distributed from an outer distributing apparatus.~~

27. (currently amended): The recordable information recording medium according to claim 25, wherein the encryption key is common to ~~all of the~~ every recordable information recording medium according to claim 25.

28. (currently amended): The recordable information recording medium according to claim 26, wherein the encryption key is common to ~~all of the~~ every recordable information recording medium according to claim 28.

29. (previously presented): The recordable information recording medium according to claim 25, wherein the encryption key is different for each manufacturer or for each seller.

30. (previously presented): The recordable information recording medium according to claim 25, wherein the encryption key is different for each manufacturer or for each seller.

31. (currently amended): An information distributing apparatus for distributing encrypted record information to ~~an information recording apparatus which records the encrypted record information in~~ a recordable information recording medium, the recordable information recording medium comprising a record information recording area for recording distributed and encrypted record information encrypted based on Content Scramble System (CSS), and an encryption key recording area in which an encryption key encrypted based on the CSS has already been recorded before the record information I recorded in the record information recording area, the information distributing apparatus comprising:

a generating device which generates an encryption key, the encryption key being equal to ~~[[an]]~~ the encryption key which ~~is recorded in advance~~ has already been recorded before the record information is recorded in the recordable information recording medium,

an encrypting device which encrypts the record information based on the CSS; and

a distributing device which distributes the encrypted record information to ~~[[the]]~~ an information recording apparatus through a telecommunications line, wherein the information recording apparatus records the encrypted record information in the recordable information recording medium ~~comprising an encryption key recording area in which the encryption key encrypted based on CSS (Content Scramble System) is recorded in advance and a record information recording area for recording distributed and encrypted record information based on the CSS.~~

32. (currently amended): The information distributing apparatus according to claim 31,  
wherein the encryption key is common to ~~all of the~~ every recordable information recording medium.

33. (previously presented): The information distributing apparatus according to claim 31,  
wherein the encryption key is different for each manufacturer or for each seller.

34. (currently amended): An information recording apparatus for recording encrypted record information in a recordable information recording medium, the recordable information recording medium comprising a record information recording area for recording distributed and encrypted record information encrypted based on Content Scramble System (CSS), and an encryption key recording area in which an encryption key encrypted based on the CSS (Content Scramble System) is has already been recorded before the record information is recorded in the record information recording area, in advance and a record information recording area for recording distributed and encrypted record information encrypted based on the CSS, the encrypted record information being distributed from an information distributing apparatus, the information distributing apparatus encrypting the record information based on the CSS, the information recording apparatus comprising:

an acquiring device which acquires the encrypted record information from the information distributing apparatus through a telecommunications line; and

a recording device which records the acquired encrypted record information in the recordable information recording medium.

35. (currently amended): The information recording apparatus according to claim 34, wherein the encryption key is common to ~~all of the~~ every recordable information recording medium according to claim 34.

36. (previously presented): The information recording apparatus according to claim 35, wherein the encryption key is different for each manufacturer or for each seller.

37. (currently amended): An information reproducing apparatus for reproducing encrypted record information from a recordable information recording medium, the recordable information recording medium comprising a record information recording area for recording distributed and encrypted record information encrypted based on Content Scramble System (CSS), and an encryption key recording area in which an encryption key encrypted based on the CSS (Content Scramble System) is has already been recorded before the record information is recorded in the record information recording area, in advance and a record information recording area for recording distributed and encrypted record information encrypted based on the CSS, the

encrypted record information being recorded by an information recording apparatus, the information reproducing apparatus comprising:

a reproducing device which acquires the encryption key from the recordable information recording medium when the reproducing device reproduces the encrypted record information recorded in the recordable information recording medium, and decrypting the encrypted record information based on the CSS by use of the decrypted encryption key to reproduce the record information.

38. (currently amended): The information reproducing apparatus according to claim 37,

wherein the encryption key is common to ~~all of the~~ every recordable information recording medium according to claim 37.

39. (previously presented): The information recording apparatus according to claim 37,

wherein the encryption key is different for each manufacturer or for each seller.